

IN THE COMMON PLEAS COURT OF FRANKLIN COUNTY, OHIO

Michael and Tia Jones
13540 Capetown Avenue
Pickerington, Ohio 43147,

Plaintiffs,

v.

GSV Transportation, Inc.
1380 West Mission Boulevard
Ontario, California 91762-4786

also serve:

GSV Transportation, Inc.
c/o Victor Manuel Garcia,
Statutory Agent
1792 Via Verde Drive
Rialto, California 92377

and

GSV Trans., Inc.
3390 Country Village Road, Apt. 3108
Jurupa Valley, California 92509

also serve:

GSV Trans., Inc.
c/o Arvinder Singh Virk,
Statutory Agent
3390 Country Village Road
Riverside California 92509

Victor Manuel Garcia
1792 Via Verde Drive
Rialto, California 92377

and

Sandeep Singh
14520 Village Drive, Apt. 207
Fontana, CA 92337,

Defendants.

Case No.

Judge

JURY DEMAND
ENDORSED HEREON

COMPLAINT

1. This Complaint asserts claims for serious and permanent personal injury and loss of consortium resulting from a tractor-trailer driver, who entered the highway using an exit ramp and, after driving nearly a mile in the wrong direction in the pitch black, recklessly attempted an illegal and uncontrolled U-turn, blocking all four lanes of traffic.

PARTIES, JURISDICTION, AND VENUE

2. Plaintiffs Michael and Tia Jones are residents of Pickerington, Ohio, located in Fairfield County.

3. Defendant GSV Transportation, Inc. is a corporation formed under the laws of the State of California with a principal place of business Rialto, California. GSV is a registered motor common carrier (DOT # 3376950, MC # 1083319) for the transportation of goods in interstate commerce.

4. Defendant GSV Trans., Inc. is a corporation formed under the laws of the State of California with a principal place of business in Riverside, California. GSV is a registered motor common carrier (DOT # 3376950, MC # 1083319) for the transportation of goods in interstate commerce.

5. Defendant Victor Manuel Garcia is an individual registered as a motor vehicle contract carrier (DOT # 1772436, MC # 646960) for the transportation of goods in interstate commerce. GSV Transportation, Inc./GSV Trans., Inc.'s website identifies the DOT/MC No. as 646960, which is registered to Defendant Victor Manuel Garcia.

6. The Complaint will refer to GSV Transportation, GSV Trans., Inc., and Victor Manuel Garcia collectively as GSV.

7. Defendant Sandeep Singh is a resident of Fontana, California, located in San Bernardino County. Sandeep Singh drove the tractor-trailer for GSV that caused the crash.

8. This Court has jurisdiction over this matter because the crash occurred in Franklin County, Ohio.

9. Venue is proper in this Court pursuant to Civil Rule 3(C)(3), (6), and (7).

FACTS

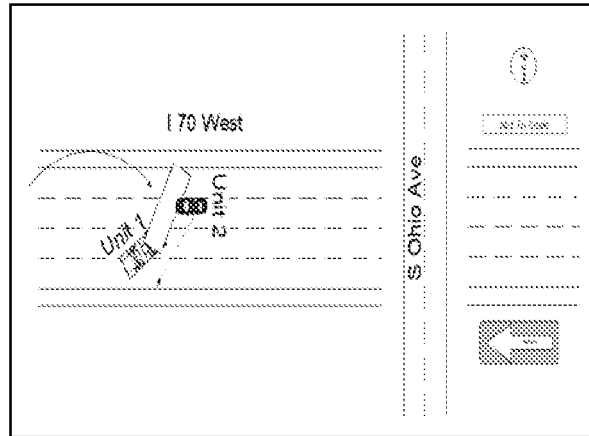
10. Around 5:00 a.m. on August 17, 2021, Defendant Sandeep Singh, driving a tractor-trailer in the course and scope of his employment for Defendant GSV Transportation, entered the exit ramp to I-70 West at East Mound Street and South Washington Avenue. Singh proceeded to drive in the wrong direction on the highway for nearly a mile:



11. Ohio Department of Transportation (“ODOT”) video footage shows Singh travelling the wrong way on I-70 toward the crash site:



12. Instead of stopping and waiting for assistance from law enforcement, Singh recklessly attempted a dangerous and illegal U-turn, blocking all four lanes of traffic. The following diagram depicts the crash scene¹:



13. By the time Michael saw the truck, it was too late. Michael slammed on his brakes but crashed into the truck, bounced off the rear axle, and crashed into the concrete median barrier.

14. As a direct and proximate result of Singh's reckless driving, Michael suffered catastrophic and permanent injuries. Specifically, the crash resulted in: a comminuted and displaced open fracture of Michael's right femur; a nondisplaced right acetabulum fracture; a right iliac bone fracture; a right pubic rami fracture; a right patella fracture; a right popliteal artery aneurysm (1.8 cm x 1.7 cm); a right navicular fracture; an open displaced intra-articular fracture of right calcaneus; an acute blood loss anemia; and significant abrasions and lacerations.

15. Columbus Police cited Singh for driving the wrong way in violation of Section 2131.30(A) of Columbus City Traffic Code and for making a prohibited U-turn in violation of Section 2131.12(A) of Columbus City Traffic Code. Singh also violated Ohio law—specifically Sections 4511.32, 4511.13, and 4511.37 of the Ohio Revised Code.

¹ A copy of the Crash Report is attached hereto as Exhibit A.

16. Singh pled guilty to the original charge of driving the wrong way on the highway in violation of Columbus City Traffic Code § 2131.30(A).

COUNT I
(Negligence *Per Se*—Singh)

17. Plaintiffs repeat and reallege the allegations set forth in the preceding paragraphs as if fully rewritten herein.

18. Plaintiff Michael Jones operated a vehicle on a public roadway traveling westbound on the way to work.

19. Section 2131.30(A) of Columbus’s Traffic Code provides:

Upon a roadway designated and posted with signs for one-way traffic a vehicle shall be driven only in the direction designated[.]

20. Section 4511.32 of the Ohio Revised Code provides the same:

Upon a roadway designated and posted with signs for one-way traffic a vehicle shall be driven only in the direction designated.

21. ODOT cameras recorded Singh entering the highway *using the exit ramp* at East Mound Street and South Washington Avenue. Singh continued to drive the tractor-trailer in the opposite direction of traffic for nearly a mile until he attempted an illegal U-Turn just before the South Ohio Avenue bridge.

22. Columbus Police cited Singh for driving the wrong way in violation of §2131.30(A). In September 2021, Singh pled guilty to the charge of driving the wrong way on the highway in violation of §2131.30(A). Thus, Singh was *per se* negligent for driving the wrong way on the highway in violation of local and state law.

23. Sections 4511.13 and 4511.37 of the Ohio Revised Code place numerous restrictions on vehicles attempting U-turns. Specifically, a vehicle attempting a U-turn on the

highway is required to yield the right-of-way to other vehicles to avoid creating “an immediate hazard.” Section 4511.37 of the Ohio Revised Code prohibits vehicles from making U-turns if the vehicle cannot be seen within 500 feet by the driver of any other vehicle approaching from either direction.

24. More importantly, U-turns are prohibited in the City of Columbus. Section 2131.12 of Columbus’s Traffic Code provides:

No vehicle shall be turned so as to proceed in the opposite direction upon any street or highway. Turns commonly known as “U” turns are hereby prohibited.

25. As Columbus Police reported on the crash report, Singh “attempt[ed] to make a U-turn on 170W just west of the S. Ohio Ave bridge.” *See* Exhibit A. Columbus Police cited Singh for making an illegal U-turn. Thus, Singh was *per se* negligent.

26. Also, as provided on the crash report, “[t]he U-turn caused Unit #2 (Michael’s vehicle) to strike Unit #1 (the tractor-trailer) in the 4th axle and tires.” *See* Exhibit A.

27. As a direct and proximate result of Defendants’ unlawful conduct, Plaintiffs have suffered bodily injury, pain and suffering, mental anguish, loss of capacity for enjoyment of life, reasonable and necessary medical expenses, medical treatment, stress, and anxiety. Plaintiffs’ injuries and losses are both severe and continuing, as Plaintiffs’ injuries and losses will continue into the future.

COUNT II
(Negligence/Recklessness—Singh)

28. Defendant Singh had a duty to safely and lawfully operate the commercial tractor-trailer at the time of the crash.

29. Singh breached that duty by entering the interstate via the exit ramp at freeway speeds, driving in the wrong direction for nearly a mile, and attempting an illegal U-turn in the

dark, thereby blocking all four lanes of traffic. In doing so, Singh exhibited indifference to the serious consequences of his actions and disregarded a substantial and unjustifiable risk that his conduct was likely to cause serious injury to nearby motorists.

30. As a direct and proximate result of Defendant's unlawful conduct, Plaintiffs have suffered bodily injury, pain and suffering, mental anguish, loss of capacity for enjoyment of life, reasonable and necessary medical expenses, medical treatment, stress, and anxiety. Plaintiffs' injuries and losses are both severe and continuing, as Plaintiffs' injuries and losses will continue into the future.

COUNT III
(*Respondeat Superior*—GSV)

31. Defendant Singh was an employee, agent, leased driver and/or servant of GSV and was acting within the course and scope of his employment with GSV at the time of the crash. Under the common law principals of *respondeat superior*, as well as agency principals, GSV is vicariously liable for Singh's conduct.

32. As a direct and proximate result of Defendant GSV and Defendant Singh's negligence *per se*, negligence, and/or reckless conduct, Michael Jones suffered bodily injury, pain and suffering, mental anguish, loss of capacity for enjoyment of life, reasonable and necessary medical expenses, medical treatment, stress, and anxiety. Plaintiffs' injuries and losses are both severe and continuing, as Plaintiffs' injuries and losses will continue into the future.

COUNT IV
Loss of Consortium—Against All Defendants

33. Plaintiffs hereby incorporate by reference the preceding paragraphs as if fully recited herein.

34. Tia Jones is the lawful wife of Michael Jones. The two live together as husband and wife.

35. As a direct and proximate cause of the acts, omissions and/or reckless conduct of Defendants and the severe and permanent injuries suffered by Michael Jones, Tia Jones has sustained a loss of consortium of her husband and is entitled to full compensation for that loss in an amount to be determined at trial.

36. The loss of consortium and associated damages are continuing in nature.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs demand judgment against all Defendants, jointly and severally, as follows:

- (a) Compensatory damages on each claim set forth in the Complaint in excess of \$25,000.00;
- (b) Punitive damages in an amount to be determined at trial;
- (c) Plaintiff's attorney fees and costs of this action;
- (d) Such additional relief as the Court deems just and equitable.

Respectfully submitted,

/s/ Sean R. Alto

Rex H. Elliott (0054054)

Sean R. Alto (0087713)

Chelsea C. Weaver (0096850)

Cooper & Elliott, LLC

305 West Nationwide Boulevard

Columbus, Ohio 43215

(614) 481-6000

(614) 481-6001 (Facsimile)

rexe@cooperelliott.com

seana@cooperelliott.com

chelseaw@cooperelliott.com

Attorneys for Plaintiffs

Michael and Tia Jones

JURY DEMAND

Plaintiff hereby demands a trial by a jury of eight (8) persons on all issues triable under the law.

/s/ Sean R. Alto
Sean R. Alto (0087713)

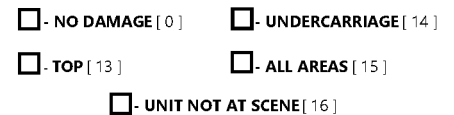
EXHIBIT A

DAMAGE

3 - F

4

INDICATE ALL THAT APPLY



0 - NO DAMAGE	14 - UNDERCARRIAGE
1-12 - REFER TO UNIT DIAGRAM	15 - VEHICLE NOT AT SCENE
	99 - UNKNOWN

TRAFFICWAY FLOW

1 - ONE-WAY
2 - TWO-WAY

1 - ROUNDABOUT 4 - STOP SIGN
2 - SIGNAL 5 - YIELD SIGN
3 - FLASHER 6 - NO CONTROL

| 4 |

- 1 - NOT INVOLVED
- 2 - INVOLVED-ACTIVE CROSSING
- 3 - INVOLVED-PASSIVE CROSSING

FROM TO

1 - NORTH
2 - SOUTH
3 - EAST
4 - WEST
5 - NORTHEAST
6 - NORTHWEST
7 - SOUTHEAST
8 - SOUTHWEST
9 - OTHER / UNKNOWN

55

1 - STATED / ESTIMATED SPEED
2 - CALCULATED / EDR
3 - UNDETERMINED

POSTED SPEED

55

2 - CALCULATED / EDR

3 - UNDETERMINED

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OCCUPANT / WITNESS ADDENDUM

210613582

OCCUPANT	UNIT #	NAME: LAST, FIRST, MIDDLE				DATE OF BIRTH		AGE	GENDER																																																																					
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11101 VALERIO ST, SUN VALLEY, CA, 91352																																																																														
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